



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105  
Phone: (415) 972-3000  
<http://www.epa.gov/region9>

**DEC 17 2014**

Via Certified Mail no. 7013 1090 0000 1618 1109  
Return Receipt Requested

Ms. Karen Chapman  
USC Norris Cancer Hospital  
1500 San Pablo Street  
Los Angeles, CA 90033-5313

RE: RCRA Compliance Evaluation Inspection Report and RCRA § 3007(a) Request for Information Letter

Dear Ms. Chapman:

On September 16, 2014, the United States Environmental Protection Agency Region 9 (EPA) conducted a Compliance Evaluation Inspection (CEI) at the USC Norris Cancer Center (USC) located in Los Angeles, CA, California Identification Number CAL000396462, to determine compliance with the Resource Conservation and Recovery Act (RCRA), the regulations provided in the Code of Federal Regulations (CFR), Chapter 40, Parts 261 – 265, 268, 273 and 279, the California Code of Regulations (CCR), Title 22, Division 4.5 and the California Health and Safety Code, Division 20.

A copy of the RCRA CEI report is enclosed for your information and response. The RCRA CEI report identifies potential violations of RCRA and California's RCRA authorized hazardous waste management requirements observed during EPA's investigation. In addition, the RCRA CEI report identifies other potential non-RCRA violations at the Facility. Please note that omissions in the RCRA CEI report shall not be construed as a determination of compliance with any other applicable regulation.

Pursuant to Section 3008 of RCRA {42 U.S.C. § 6928}, you are required to correct the identified areas of noncompliance and to submit documentation of their correction to the EPA:

1. Submit to EPA documentation that you have applied for a Federal EPA Identification Number;
2. Submit to EPA documentation showing that all satellite accumulation containers have been closed and labeled with the required information;
3. Submit to EPA documentation demonstrating that universal waste lamps are being stored in closed containers and that these containers are labeled as "universal waste lamps";

4. Submit to EPA documentation demonstrating that USC will ensure that all applicable waste codes for bulk chemotherapy waste lab-packs will be noted on hazardous waste manifests (EPA Form 8700-22) from this time forward.

Documentation of your return to compliance may consist of, among other things, photographs, manifests, standard operating procedures and revised records. Where compliance cannot be achieved within forty five (45) calendar days, you must provide to the EPA the reasons for the delay, a description of each corrective action planned, and a schedule on which each corrective action will be taken.

The EPA reserves the right to take further enforcement action as it deems appropriate. However, your response to this letter will be considered in determining the need for further enforcement action. RCRA Subtitle C violations such as those listed in the Enclosure may be punishable by civil and criminal actions, including penalties of up to \$37,500 per day for each violation as provided by Section 3008 of RCRA.

The EPA is also seeking more information concerning operations at the facility. Under the provisions of Section 3007(a) of RCRA {42 U.S.C. § 6927(a)}, the EPA may require persons subject to RCRA to furnish information necessary for the EPA to administer the Act. The information requested will supplement observations made by the EPA inspection team. Therefore, pursuant to the EPA's authority under Section 3007(a) of RCRA, USC is requested to submit to the EPA the following information:

1. Provide EPA with waste profile information/data for lab-pack chemotherapy prescriptions (Profile #LCCRC).
2. Provide certificates of disposal for wastes covered under Profile #LCCRC for the past 2 years.

Section 3008 of RCRA {42 U.S.C. § 6928}, authorizes the initiation of a civil enforcement proceeding for failure to respond fully to the information request set out in this letter. Section 3008 also authorizes criminal prosecution for knowingly making a false statement or omitting material information.

This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§ 3502(3), 3507, 3512, and 3518(c)(1) {5 C.F.R. §§ 1320.3(c), 1320.4, and 1320.6(a)}. Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons {44 U.S.C. § 3502(4), (11); 5 C.F.R. §§ 1320.4 and 1320.6(a)}.

The EPA routinely provides copies of inspection reports to state or tribal agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations, 40 C.F.R. Part 2, Subpart B. For any portion of the information included in this inspection report which is entitled to confidential treatment, please assert a confidentiality claim in accordance

with 40 C.F.R. § 2.203(b). If the EPA determines that the information so designated meets the criteria set forth in 40 C.F.R. § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 C.F.R. Part 2, Subpart B. As described in 40 C.F.R § 2.203(a)(2), the EPA will construe the failure to furnish a confidentiality claim within 14 calendar days from the date of your receipt of this letter as a waiver of that claim, and information may be made available to the public by the EPA without further notice.

Your response to this Request for Information and certification of correction of the areas of noncompliance identified in this warning letter must be included in a response letter signed by a duly authorized official of your facility. Your response, due 45 calendar days from the date of your receipt of this letter, shall be addressed to:

Jennifer MacArthur  
Enforcement Division (ENF-2-2)  
US Environmental Protection Agency Region 9  
75 Hawthorne Street  
San Francisco, CA 94104

In lieu of submitting your response by mail, you may submit the response as portable document files via electronic mail to [macarthur.jennifer@epa.gov](mailto:macarthur.jennifer@epa.gov).

If you have any questions regarding this letter, please contact Jennifer MacArthur of my staff at (415) 972-3994 or [macarthur.jennifer@epa.gov](mailto:macarthur.jennifer@epa.gov).

Sincerely,



Douglas K. McDaniel  
Chief, Waste and Chemical Section  
Enforcement Division

Cc w/ enclosure:

Robert Vance, USC ([robert.vance@med.usc.edu](mailto:robert.vance@med.usc.edu))  
Tarek Salaway, USC ([tarek.salaway@health.usc.edu](mailto:tarek.salaway@health.usc.edu))  
Marianne Silva, USC ([marianne.silva@med.usc.edu](mailto:marianne.silva@med.usc.edu))  
John Glover, USC ([john.glover@med.usc.edu](mailto:john.glover@med.usc.edu))

Cc after clearance of any confidentiality claims:

Kristine Green, DTSC ([kgreen@dtsc.ca.gov](mailto:kgreen@dtsc.ca.gov))  
John Schofield, EPA ([schofield.john@epa.gov](mailto:schofield.john@epa.gov))

Enclosure

